

Capital Improvements Committee
Minutes February 18, 2016

Item No. 1: Mayor Best called the meeting to order at 10:00 a.m.

Item No. 2: Roll Call: Members present were Mayor Karen Best, City Administrator Bill Malinen, Alderman Mike Booth, and Doug Lay. Also present were City Engineer/Director Public Works David Miller, Assistant Director of Public Works Keith Francis, Finance Director Jamie Rouch, Utilities Director Mike Ray, Assistant Finance Director Stacy McCallister, Others present Loretta Bishop and Ron Mersch from Olsson Associates.

Item No. 3: Consultant Selection Historic Downtown Streetscape Phase III. David Miller explained that at a recent Board of Aldermen meeting, the Aldermen wanted a different engineering design consultant for Phase III of the Historic Downtown Streetscape Improvement Project. He stated that Phase III is basically Commercial Street from Atlantic to Pacific. He further stated that Phase III is a street improvement project similar to the design for Phase 1. Some of the issues discussed that resulted in the instructions to retain a different design firm were: large vehicle access, signage, better management of contractor, better control of schedules and reassess some of the items in the master plan. These items were provided in the Request for Proposals sent to the firms in the city's database with experience in streetscape projects. Seven (7) proposals were received. Staff assigned high weights on the firm's approach to the project and their schedule in order to meet the construction start date of January 2017. Their experience was given a medium weight and qualifications of staff and history was given a low weight. Mr. Miller explained that a couple of charts were provided to the committee members in the memorandum. David went on to say that the seven proposals received were all good or excellent and that any of the firms could provide a good product. He stated that SS&E and Yung Design did not follow the instructions in the RFP but instead provided a design-build concept wherein the city would select their engineering firm and the construction contractor as a team. In this instance, the city would negotiate a single design and construction fee rather than just design fees. The team would then be the project managers and oversee the entire project. There would be one single point of contact. This design/build model has a lot of advantages because it takes a lot of project management burden off of city staff but it is a new concept for the city. If this process is something that the committee wants to pursue, then legal reviews will have to be done and enabling ordinances developed. Totally different RFPs would have to be send out for design-build since this was not the intent of this request for proposals. Cris Bohinc inquired if, after review by legal, and a firm is hired to perform design-build, would the city not have to go out to bid for build so that other construction companies could bid? David stated that design-build is legal in the State of Missouri and other cities use this process. Branson used design-build when constructing the water tower at Walmart but have not done the process since that time. Mr. Malinen inquired the estimated cost for construction of Phase III. Mr. Miller stated that the estimate is \$2.8 million.

Mr. Miller explained that staff rated Great River Engineering as number one on the list but again, any of the seven firms will do a good job. Great River listed a lot of public involvement. Olsson and Horner & Shifrin both provided good proposals and both firms suggested A+B bidding which sets a value to the time schedule of the construction provided by the contractor. Basically, the time and the construction costs are added together to derive the number on which the bid is awarded. MCE from Fayetteville, AR has done a lift station project for the city in the past. Horner & Shifrin provided engineering for the Veteran's Bridge Improvement project. TranSystems has provided the design of both Shepherd of the Hills Expressway and the Fall Creek Road Extension. Cochran out of Camdenton provided a good proposal but just not as strong as the others.

Mayor Best inquired about the difference between Olsson and Great River Engineering. David stated that in his opinion, Great River specifically stated that they would commence the design by conducting interviews with each individual business owner and GRE's information on availability of staff was good. GRE provided exact percentages of staff availability, suggested an online questionnaire to obtain more information from the downtown businesses, and researched alternative to the wood poles. The other proposers did not mention these specific items that were issues in the past. Olsson mentioned reviewing 30% completed plans with property owners which is a good idea and an idea of creating 3D renderings whereas GRE mentioned creating a scaled model which is a unique idea but may not be practical.

Mr. Malinen inquired if the first items from GRE is more of an attention to detail by way of categorizing. Mr. Miller replied in the affirmative. Mr. Pinkley agreed and stated that the GRE proposal was extremely comprehensive and that they addressed many of the challenges from Phase 1. Mr. Booth inquired if GRE has had any issues with other entities. Mr. Miller stated that GRE has done work for the city in the past. GRE has worked on MoDOT projects where there may have been an issue but staff has not been able to confirm this issue with MoDOT. Mr. Booth expressed concern about the MoDOT project. Mr. Pinkley stated that GRE identified those concerns in their proposal and also stated that GRE mentioned in their proposal that they were ready to begin today.

Mr. Malinen stated that both GRE and Olsson seemed to have worked on Walnut Street Streetscape which was a multiphase project in Springfield. He inquired if that may be some sort of insight for the city to investigate. Mr. Miller stated that he had not contacted the City of Springfield. Mr. Malinen also stated that the Boonville Streetscape project used both firms so Springfield has two projects that both firms worked on. David asked Keith Francis if he had done any projects with either firm while in Springfield. Mr. Francis replied that the streetscapes in Springfield were considerably different than what the City of Branson is doing. The City of Springfield is basically removing the sidewalk and replacing it with new but those projects don't include the detail that is being implemented in Branson.

Mayor Best stated that GRE proposal mentioned access to businesses being vital. The City has to express this as a sensitive item to the firm so that they make this the #1 priority.

Alderman Davis inquired about the design-build opportunity. Mr. Miller replied that he supports the idea and if more time was available, he would evaluate that process more fully because there are so many advantages. The one downside is that the City loses a little bit of control where the design-build concept is concerned. Mr. Malinen stated that something the Minnesota legislature allowed was called Best Value Procurement or contracting. The State of Minnesota authorized cities to use it for construction projects. The philosophy is to vet the companies and find the best value by looking into background, references, experience in other projects and assess these objectively. He further stated that the collective group would interview the firms and this is the most important part of the process and drill down to find out what the firm really knows and then a price is negotiated but the city does give up control. What results is a deliverable with no change orders. This motivates the contractor to do the best work that they can, to not have delays and to present a completed project on-time and within budget. Mr. Malinen stated that it is a new paradigm but may not be applicable on this project.

Mr. Booth stated that we need to be careful on the next phases that we don't make the same mistakes that we made on Phase 1. The city needs to be careful about allowing the downtown committee to dictate decisions and changes in the middle of the project and make sure that the design engineer can alleviate the changes and/or mitigate whether the change is beneficial to the project. We need to have an

engineering firm that can communicate in all different levels to the downtown patrons and also be able to say no when warranted. He further stated that communication is going to be key to a successful project.

After some discussion, the committee suggested that the design-build concept be used in the future but not on this project.

Mayor Best inquired concerning the schedule that GRE submitted wherein it stated that bids be open before December 30th in that it seems late and that concerns her. David answered that in their schedule they had October 28th as the design complete date which is in their control whereas the bid date is not. Olsson had the first week of November as the design completion date. Mayor Best stated that time is not a luxury that we have on this project.

Mr. Pinkley stated that all of the proposals based their information on the existing Downtown Streetscape Master Plan. GRE was the most comprehensive and they answered all of the issues that we have discussed today. He stated that his recommendation is GRE because they met the criteria requested in the proposal.

Mr. Pinkley made the motion to select GRE as the consultant for the Phase III design, seconded by Mr. Malinen. If this committee selects GRE, then Mr. Miller will contact MoDOT and the City of Springfield to vet the information concerning their projects and any issues with GRE. Mr. Booth stated that we have an obligation to the city to investigate the firms to make sure there are no issues or concerns. Vote: all yes, none opposed. Motion carried.

Doug Lay stated that if, after Mr. Miller contacts MoDOT or the City of Springfield concerning the issue, then give GRE an opportunity to defend themselves on the issue.

Mr. Booth made the motion to select Olsson as an alternate in the event that negotiations with GRE are unsuccessful. Seconded by Mr. Davis. Mr. Malinen suggested that Mr. Miller vet the information he receives from MoDOT and explain to alderman why GRE was unsuccessful. Mr. Davis stated that a presentation and explanation will have to be made publicly at the board of alderman meeting. Vote: all yes, none opposed.

Motion to adjourn: Rick Davis, seconded by Mike Booth. Mr. Hartley spoke up concerning complete vetting the information for the firm selected concerning experience, qualifications and realistic terms. Meeting adjourned.